

FACTSHEET

TITLE: **CHANGE OF ZONE NO. 05022**, from AG Agricultural District to R-3 Residential District, requested by Prairie Homes, on property generally located west of N.W. 12th Street between Highway 34 (Purple Heart Highway) and W. Alvo Road.

STAFF RECOMMENDATION: Approval.

ASSOCIATED REQUESTS: Annexation Agreement (06R-114) and Annexation No. 05004 (06-93).

SPONSOR: Planning Department

BOARD/COMMITTEE: Planning Commission
Public Hearing: 08/03/05 and 08/17/05
Administrative Action: 08/17/05

RECOMMENDATION: Approval (9-0: Esseks, Krieser, Pearson, Taylor, Sunderman, Carroll, Larson, Carlson and Bills-Strand 'yes';).

FINDINGS OF FACT:

1. This change of zone request was heard before the Planning Commission in conjunction with the associated annexation request and the Highland View Preliminary Plat No. 05003.
2. The staff recommendation to approve the change of zone is based upon the "*Analysis*" as set forth on p.4-5, concluding that the proposed change of zone is in conformance with the Comprehensive Plan. The purpose of the change of zone is to allow the development of 566 residential lots, in eight phases.
3. The minutes of the public hearing before the Planning Commission are found on p.7-12. The applicant's testimony is found on p.7-10, wherein certain requests to amend the conditions of approval on the associated preliminary plat were submitted.
4. There was no testimony in opposition.
5. On August 17, 2005, the Planning Commission agreed with the staff recommendation and voted 9-0 to recommend approval of the change of zone request.
6. On August 17, 2005, the Planning Commission also voted 9-0 to recommend approval of the associated annexation, subject to an annexation agreement, and adopted Resolution No. PC-00945 approving the associated Highland View Preliminary Plat.
7. The applicant appealed the preliminary plat to the City Council, where on September 19, 2005, the City Council granted a temporary connection to Purple Heart Highway as a full movement intersection. Since that time, the applicant has negotiated with the State Department of Roads to obtain their approval of a break in access for this intersection.
8. The associated annexation agreement has been updated to reflect the court decision upholding impact fees and other language changes adopted in other recent agreements.

FACTSHEET PREPARED BY: Jean L. Walker

DATE: June 5, 2006

REVIEWED BY: _____

DATE: June 5, 2006

REFERENCE NUMBER: FS\CC\2006\CZ.05022+

LINCOLN CITY/LANCASTER COUNTY PLANNING STAFF REPORT

for AUGUST 3, 2005 PLANNING COMMISSION MEETING

****As Revised and Adopted by Planning Commission: August 17, 2005**
Resolution No. PC-00945**

This is a combined staff report for related items. This report contains a single background and analysis section for all items. However, there are separate conditions provided for each individual application.

PROJECT #: Annexation #05004, **Change of Zone #05022** and Preliminary Plat #05003-Highland View.

PROPOSAL: To annex approximately 154.77 acres, change the zoning from AG-Agricultural to R-3-Residential and preliminary plat 566 residential lots.

LOCATION: West of N.W. 12th St. between Hwy. 34 (Purple Heart Highway) and W. Alvo Rd.

WAIVER REQUEST:

1. Allow sanitary sewer to run opposite street grade for Banff St., Dubois St. and N.W. 18th St.
2. Allow sanitary sewer to be constructed at a depth greater than 18' for Dubois St.
3. Block length

LAND AREA: 154.77 acres, more or less

CONCLUSION: The proposed development, with conditions, is in conformance with the Comprehensive Plan, Zoning ordinance and Subdivision ordinance. The development is located in Tier 1, Priority A and has utilities located nearby. This development will add 566 residential lots, over 8 phases, to the City. Improvements will need to be made to W. Alvo Rd. and NW 12th St. before more than 115 lots are platted

RECOMMENDATION:

Annexation Approval subject to annexation agreement

Change of Zone **Approval**

Preliminary Plat Conditional Approval

Waivers:

- | | | |
|----|---|----------|
| 1. | Allow sanitary sewer to run opposite street grade for Banff St., Dubois St. and N.W. 18 th St. | Approval |
| 2. | Allow sanitary sewer to be constructed at a depth greater than 18' for Dubois St. | Denial |
| 3. | Block length | Denial |

GENERAL INFORMATION:

LEGAL DESCRIPTION: Lots 36 I.T., 37 I.T. and 38 I.T., located in the NE 1/4 of Section 33, Township 11 North, Range 6 East, Lancaster County, Nebraska

EXISTING ZONING: AG-Agricultural

EXISTING LAND USE: Single family residential and agriculture

SURROUNDING LAND USE AND ZONING:

North:	AG-Agricultural	Undeveloped
South:	I-2-Industrial	Kawasaki Motors
East:	AG-Agricultural	Undeveloped
West:	AG-Agricultural	Undeveloped

COMPREHENSIVE PLAN SPECIFICATIONS:

Lincoln's future urban growth should generally occur in multiple directions around the existing city. Lincoln will continue to have managed and contiguous growth. (F-17)

Natural and environmentally sensitive areas should be preserved within neighborhoods. (F-17)

The Land Use Plan identifies this area as urban residential in the 2025 Comprehensive Plan. (F-23)

Priority A of Tier 1: Areas designated for near term development are generally contiguous to existing development and should be provided with basic infrastructure within 12 years of the adoption of the Plan. Some of the infrastructure required for development may already be in place. This area includes some land already annexed, but is still undeveloped and without significant infrastructure. Areas with this designation are the next priority for infrastructure programming. Some infrastructure improvements may be done in the near term while others, such as road improvements that are generally more costly, may take longer to complete.(F-29)

The proposed development is located in Tier One Priority A. (F-31)

Guiding Principles for New Neighborhoods include:(F-67)

1. encourage a mix of housing types, single-family, townhomes, apartments, elderly housing all within one area;
2. Similar housing types face each other: single family faces single family, change to different use at rear of lot
3. Parks and open space within walking distance of all residences;
- 4 Pedestrian orientation; shorter block lengths, sidewalks on both sides of all roads

The extension of water and sanitary sewer services shall be predicated upon annexation of the area by the City. City annexation shall occur before any property is provided with water, sanitary sewer or other potential City services. (F-154)

Annexation generally implies the opportunity to access all City services. Voluntary annexation agreements may limit or otherwise outline the phasing, timing or installation of utility services (e.g., water, sanitary sewer), and may include specific or general plans for the private financing of improvements to the infrastructure supporting or contributing to the land uses in the annexed area.(F-154-155)

HISTORY:

March 7, 2005	Preliminary Plat submitted:
July 7, 2005	Revised plans submitted showing a larger area than in the original site plan
June 25, 2001	Annexation #00007, to annex Kawasaki Motors, was approved by City Council.

UTILITIES: There is existing sanitary sewer on N.W. 27th St. The sanitary sewer will need to be extended from N.W. 27th St. to this development.

There is an existing 16" main at N.W. 12th St. and Alvo Rd.

TRAFFIC ANALYSIS: Alvo Rd. and N.W. 12th St. are classified as minor arterial. W. Alvo Rd. is a county gravel rural section road. N.W. 12th St. has not been constructed south of Alvo Rd. The 2025 Comprehensive Plan, under proposed projects, identifies N.W. 12th St. as 4 lanes plus turn lanes from Highlands Blvd. to Alvo Rd. and Alvo Rd. as 2 lanes plus turn lanes from N.W. 27th St. to N.W. 12th St. These projects are not listed in the City's 2005-2011 Capital Improvement Program.

PUBLIC SERVICE:

This area is within the Raymond rural fire district.

The nearest elementary school is Fredstrom located at N.W. 10th St. and W. Harvest Dr. There is a proposed elementary school within the Fallbrook development, located east of this development.

ENVIRONMENTAL CONCERNS: There are existing wetlands in the southwest portion of this development.

ANALYSIS:

1. This is a request to annex 154.77 acres, change the zoning from AG-Agricultural to R-3-Residential and preliminary plat 566 residential lots.
2. The proposed development is outside the city limits, but is within the future service limits and is shown as urban residential in the 2025 Comprehensive Plan.
3. This subdivision lies within Airport Environs Noise District and is within the inner and outer approach zone. This subdivision is between the 60 DNL and 65 DNL, which is acceptable for residential development. An Avigation and Noise Easement is required prior to approval of a final plat.
4. This area is designated as Tier I, Priority A in the 2025 Comprehensive Plan. The Comprehensive Plan identifies Priority A of Tier I as areas designated for near term development generally contiguous to existing development and should be provided with basic infrastructure within 12 years of the adoption of the Plan. Some of the infrastructure required for development may already be in place.

5. The proposed residential development is compatible with adjacent land use and is in conformance with the 2025 Comprehensive Plan. There is a residential development to the east (Fallbrook) and industrial south of Purple Heart Highway (Kawasaki).
6. This development will require sanitary sewer to be extended along Purple Heart Highway from NW 27th St. to this development. There is an existing water main at the intersection of W. Alvo Rd. and SW 12th St.
7. Public Works & Utilities Department does not object to the waiver to allow sanitary sewer to run opposite street grades, but does object to the waiver for sanitary sewer depth because they believe street grades can be adjusted to minimize the depth.
8. The applicant is requesting a waiver to block length due to the grade of the property. This waiver is not acceptable to the Planning Department or the Public Works and Utilities Department. The July 20th report from Public Works and Utilities states that a street connection can be constructed that meets design standards to lessen the block lengths in blocks 11 and 13.
9. The applicant's letter identifies that pedestrian easements have been provided in Blocks 11, 13 & 18 to meet block length requirements. Pedestrian easements are required when a block is in excess of 1,000 feet. However, block 11 & 13 exceed the maximum block length. The subdivision ordinance (26.23.130) states that block lengths shall not exceed 1,320' between cross-streets.
10. The applicant is requesting a temporary access to W. Alvo Rd. W. Alvo Rd. is a gravel county rural road. No connection should be made to W. Alvo Rd. until the road is constructed to the City of Lincoln design standards. The increased traffic would cause considerable dust and county roads are not designed for urban traffic. Currently, there are no plans to improve W. Alvo Rd. in the City's 2005-2011 Capital Improvement Program.
11. This tract of land is very isolated from a paved street system. The only access to the west is along W. Alvo Rd. to NW 27th St. to Purple Heart Highway. Both W. Alvo Rd. and NW 27th St. are gravel roads. There is no street system leading to the south or east. To access a system of paved roads a temporary access is proposed to Purple Heart Highway. Planning staff is recommending that the temporary access be right-in-right-out only. However, for safety reasons this temporary access is limited to 115 final platted lots. Before final platting more than 115 lots, there shall be two paved streets connecting this development to a system of continuous paved streets. These two paved streets could connect to the system of paved streets in Fallbrook and/or in combination of connecting to the paving in NW 27th St.
12. The applicant's letter states that lots will be allowed to be final platted along NW 12th St. without improving NW 12th St. The design of how NW 12th St. will cross Highway 34 is not known at this time. The draft annexation agreement requires the developer to improve NW 12th St. north of Missoula St. Thus, Planning would agree to allow lots along NW 12th St. south of Missoula St. to be final platted without improvements to NW 12th St. because that section may be constructed as part of the NW 12th St. overpass.

Prepared by:

Tom Cajka
Planner

DATE: July 21, 2005

APPLICANT: Engineering Design Consultants
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Lincoln, NE 68521
(402) 438-4014

OWNER: Prairie Homes
2045 S. Folsom
Lincoln, NE 68522
(402) 476-6599

CONTACT: same as applicant

**ANNEXATION NO. 05004
CHANGE OF ZONE NO. 05022
and
PRELIMINARY PLAT NO. 05003,
HIGHLAND VIEW**

PUBLIC HEARING BEFORE PLANNING COMMISSION:

August 3, 2005

Members present: Carroll, Larson, Taylor, Sunderman, Esseks, Krieser, Pearson, Carlson and Bills-Strand.

Staff recommendation: Approval of the annexation, subject to an annexation agreement; approval of the change of zone; and conditional approval of the preliminary plat.

Ex Parte Communications: None.

The Clerk announced that the applicant has submitted a request for continuance until August 17, 2005.

Larson moved to defer, with continued public hearing and action scheduled for August 17, 2005, seconded by Krieser and carried 9-0: Carroll, Larson, Taylor, Sunderman, Esseks, Krieser, Pearson, Carlson and Bills-Strand voting 'yes'.

There was no public testimony.

CONT'D PUBLIC HEARING BEFORE PLANNING COMMISSION:

August 17, 2005

Members present: Esseks, Krieser, Pearson, Taylor, Sunderman, Carroll, Larson, Carlson and Bills-Strand.

Staff recommendation: Approval of the annexation, subject to an annexation agreement; approval of the change of zone; and conditional approval of the preliminary plat.

Ex Parte Communications: None.

Proponents

1. Jason Thiellen of EDC, presented the proposal on behalf of **Prairie Homes**. This is a 566 lot single family residential project in northwest Lincoln. It will have lots ranging from 6,000 to 10,000 square feet for a diverse supply of housing opportunity for north Lincoln.

Thiellen proposed amendments to the conditions of approval:

- 1.1.3 Add the following note to the General Notes; "No more than 115 lots shall be final platted until there ~~are two~~ is a permanent access paved roads from this development

to a system of continuous paved streets, and At such time the temporary access road to Purple Heart Highway shall be removed as there are two permanent paved access roads from this development, the temporary access road/connection to Purple Heart Highway shall be removed. The temporary connection to Purple Heart Highway shall be a full movement intersection”.

- 1.1.5 Show a street connecting from Avalance Rd. to Snowshoe Dr. in block 11, and from Silverado Dr. to Lander Dr. in Block 13 unless the City Council grants the waiver to block length.
- 1.1.6 Show Lot 5 I.T., the tract of land to the south, on the site plan. Lots 62-67, Block 12, shall not be final platted until such time that either satisfactory engineering information is provided to Public Works to show a street connection to Lot 5 I.T., or Lot 5 I.T. is shown to be a nonbuildable lot, and show access to the lot
- 1.1.9 Show a full median on Highway 34 at the temporary access. Label the access as right-in, right-out only.
- 1.1.12 Show only one street taking access to W. Alvo Rd. east of Jasper Dr. at approximately the quarter mile point Remove N.W. 17th Street right-in/right-out access to West Alvo Road.
- 1.1.15 Show the driveway for the house at 1486 W. Alvo Rd. Relocate NW 15th St. so it is west of the driveway.
- 1.1.16 Correct the name NW 19th St. on Sheet 7. There is no NW 19th St. on the site plan.
- 1.1.17 Amend the Phasing Plan if the temporary access to W. Alvo Rd. is not granted. Include Phase 2 with Phase 1 and end Phase 1 at Lots 13 & 14, Block 23 Revised phasing plan to be agreed upon between the developer, the Planning Department and Public Works Department.

Condition #1.1.5 refers to the block length waiver. The condition requires the developer to bring the street through, but the developer has made significant attempts to preserve the wetlands, minimize the grading and maximize the use of the existing drainage ways to provide the most effective use of the infrastructure. Bringing a street through this area will minimize all of that. It became a design challenge. The developer has agreed to put in a 30' wide pedestrian way as opposed to the street connection. There are several accesses on the block, so Thiellen does not believe it is a block length issue.

Thiellen advised that Public Works has agreed to work with the developer to minimize the amount of sanitary sewer depth over 15 feet, so Public Works is no longer objecting to that waiver.

2. Peter Katt appeared on behalf of the applicant to address the issue related to the Highway 34 access (Condition #1.1.3). This project has been under development for quite a bit longer than indicated in the staff report. The challenge for this site has been to find a connection point (paved road) that allows reasonable access and reasonable development for the project. He acknowledged that the staff has worked hard, but they have agreed to disagree on this issue. The

client and staff have no objection to the temporary access point to Hwy 34. This would be temporary until there are two other permanent paved access points, at which time the temporary access would close. However, the applicant believes that this access point should be comparable to what exists on Hwy 34 at the Fallbrook interchange. Staff suggests that the Hwy 34 intersection should simply be a right-in and right-out, and the applicant does not believe that makes much sense. The full movement intersection being requested by the applicant is in compliance with the NDOR in terms of spacing. Public Works wants to preserve the future traffic capacity of Hwy 34 and that is why we have agreed to a temporary access. Until sufficient other neighborhood access exists, the applicant requests that this be a full movement intersection (proposed amendment to #1.1.3 and deletion of Condition #1.1.9).

Carlson inquired as to what constitutes sufficient connection to trigger closing the temporary access. Katt suggested it would be the second access point out of the neighborhood to a continuous paved street. At this point in time, the applicant believes it is most reasonable that eventually the platting and roadway network will connect to the east through Fallbrook. Katt then explained the potential access points. He does not know when or how the second access will come, but that will be the appropriate time to close the Hwy 34 access. The developer will construct a cul-de-sac and the connection will be asphalt as opposed to any permanent-looking street connection. He also believes they will have to bond and provide for a traffic light when the traffic warrants are met.

There was no testimony in opposition.

Carlson asked staff to address the access issue. Tom Cajka of Planning staff stated that staff is still recommending a "right-in right-out only" onto Hwy 34 because it is a safety factor and minimizes conflicts. Dennis Bartels of Public Works stated that previously, Public Works reluctantly agreed to another intersection at Hwy 34 and he is opposed to the full movement intersection. He further stated that it is not the end of the world if it ends up being full access, but Public Works definitely does not want a traffic signal there. A traffic signal will not be installed at this temporary location. Hwy 34 is designed as an expressway and it would be the position of Public Works that there not be any more accesses on Hwy 34. If the Commission approves full access, Bartels does not want any reference made to a traffic signal.

Bills-Strand confirmed that Bartels could live with it if it were full access. Do you think it would be more dangerous for people to go down, turn around and come back? Bartels stated that he does not see the danger in that movement. He can see why the developer would want full access. The problem with this development is that it is occurring before there is any street infrastructure in the area. Alvo Road is gravel between N.W. 27th and N.W. 12th.

Bartels did agree with the statement made by the applicant on the sanitary sewer depth issue. He is willing to work with them and willing to recommend approval of an exception to allow the sewer depth over 15'.

Cajka stated that staff:

would agree with the amendment to Condition #1.1.3, if the last sentence is deleted: "The temporary connection to Purple Heart Highway shall be a full movement intersection". Also, Condition #1.1.9 should not be deleted.

disagrees with the proposed amendment to Condition #1.1.5 which deals with the block length.

agrees with the amendment to Condition #1.1.6.

agrees with the amendment to Condition #1.1.12 if “right-in/right-out” is stricken.

agrees with the amendment to Condition #1.1.15, #1.1.16 and #1.1.17.

Esseks inquired as to who will pay for the extension of the sewer and water lines. Cajka stated that the developer is responsible for the infrastructure within the development. Bartels stated that the sewer to serve this will have to run parallel to Hwy 34 west to the intersection at N.W. 27th Street. The developer will have to pay for it. There is water at the intersection of N.W. 12th and Alvo Road, which is an impact fee facility. The developer would be paying for everything except what the city would typically subsidize.

Response by the Applicant

In terms of the block length issue, Katt believes that staff’s disagreement is based upon the block length requirement that is pretty arbitrary in how you compute block lengths, particularly in subdivisions where there are no longer square blocks. He believes that this development meets the intent and purpose of the block length. They have included a pedestrian easement and would request that the block length be waived as requested.

The access issue is a difference of opinion in terms of whether the Hwy 34 access should be a full movement or right-in/right-out. Katt believes it is appropriate to be a full movement intersection. The competing subdivision to the east has a full movement intersection which will be permanent, and that’s the one staff points us to. But we can’t get there. The road network is not in place, so Katt believes it is appropriate to have the temporary access be a full movement access until they can get permanent access.

Taylor is concerned about the emissions from the Kawasaki plant. He is also concerned about the airport fly zone from the airport and whether it will have any affect on the quality of the homes. Katt responded, stating that this property has been shown in the Comprehensive Plan as appropriate for residential development for a number of years. The community has said that this is an appropriate area. It is not in such close proximity that the health and safety of the future residents are jeopardized by the Kawasaki plant. With regard to the noise easement area, there are a number of neighborhoods that are within the airport fly zone. The community has made a decision that residential development within those zones is safe. As far as the relative cost or price mix, it is not likely that these homes will be in the Fallbrook price range. The community needs a range of housing. His client’s current thoughts for this area are that this neighborhood that will develop on the west side of Fallbrook will be comparable in style of homes and quality and pricing to the Highlands.

Larson inquired whether there is a median on Hwy 34 where the temporary access is located. Katt explained that there is currently a grassed median. They filled in the median at Fallbrook and paved it. What is done in that right-of-way will need approval from NDOR. Hwy 34 is an

expressway designation, which calls for intersections at half mile intervals. This access is very close to being ½ mile from the Fallbrook intersection.

Carlson noted that occasionally we see some of these pedestrian easements not constructed prior to the home construction. What can you tell me to assure the alternate connection? Katt believes that the regulations now require those easements to be constructed at the time of building the streets. He does not believe it will be the same problem we have seen in the past.

The width of this pedestrian easement is 30 feet, while they were crammed into a 10' area in the past.

Esseks is concerned about serious safety risk. Let's say the traffic is heading toward Lincoln in the morning, with people heading east toward Kawasaki at the same time. He thinks it is a problem if there is not a traffic light. It might be safer to turn right and then come around. We do have a responsibility to protect the public health and safety. Katt's response was that all of us will have differing opinions as to the safety issue. That traffic occurs for maybe 10-15 minutes a day. Overall, through a 24-hour day, Katt believes we are better served by having a full movement access. He thinks the full movement access is safer.

ANNEXATION NO. 05004

ACTION BY PLANNING COMMISSION:

August 17, 2005

Carlson moved approval, subject to an annexation agreement, seconded by Carroll and carried 9-0: Esseks, Krieser, Pearson, Taylor, Sunderman, Carroll, Larson, Carlson and Bills-Strand voting 'yes'. This is a recommendation to the City Council.

CHANGE OF ZONE NO. 05022

ACTION BY PLANNING COMMISSION:

August 17, 2005

Carlson moved approval, seconded by Pearson and carried 9-0: Esseks, Krieser, Pearson, Taylor, Sunderman, Carroll, Larson, Carlson and Bills-Strand voting 'yes'. This is a recommendation to the City Council.

PRELIMINARY PLAT NO. 05003

ACTION BY PLANNING COMMISSION:

August 17, 2005

Larson moved to approve the staff recommendation of conditional approval, with the amendments requested by the applicant, seconded by Bills-Strand.

Bills-Strand believes it should be a full movement access. She likes stop lights and she would think that if a stop light is warranted that it should be put up for the safety of the people. It could be triggered as opposed to automatic. She also does not believe that the connecting street is necessary. There are plenty of accesses in and out of that area. She thinks they have reached a good compromise.

Carroll has a concern about the full movement access because people who live out there will get used to it and will be upset when it is closed. The neighborhood association will say they don't want to close it and will want a traffic light. He does not think it is fair. We need to say no, and not give

them the opportunity to have it for a short period of time and then take it away from them. He agrees with staff.

Carroll moved to amend Condition #1.1.3 to staff recommendation, which deletes the full movement access and provides for right-in/right-out only, seconded by Esseks and carried 7-2: Esseks, Krieser, Pearson, Taylor, Sunderman, Carroll and Carlson voting 'yes'; Larson and Bills-Strand voting 'no'. This amendment also leaves Condition #1.1.9 in place.

Main motion for conditional approval, as set forth in the staff report, with the amendments requested by the applicant, except striking the last sentence from the amendment to Condition #1.1.3 and retaining Condition #1.1.9, carried 9-0: Esseks, Krieser, Pearson, Taylor, Sunderman, Carroll, Larson, Carlson and Bills-Strand voting 'yes'. This is final action, unless appealed to the City Council within 14 days.



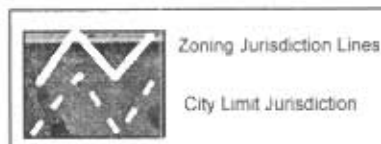
Preliminary Plat #05003
Change of Zone #05022
Annexation #05004
Highland View
NW 12th & Alvo Rd.

2002 aerial

Zoning:

R-1	Residential District
AG	Agricultural District
AGR	Agricultural Residential District
R-C	Residential Conservation District
O-1	Office District
O-2	Suburban Office District
O-3	Office Park District
R-T	Residential Transition District
B-1	Local Business District
B-2	Planned Neighborhood Business District
B-3	Commercial District
B-4	Lincoln Center Business District
B-5	Planned Regional Business District
H-1	Interstate Commercial District
H-2	Highway Business District
H-3	Highway Commercial District
H-4	General Commercial District
I-1	Industrial District
I-2	Industrial Park District
I-3	Employment Center District
P	Public Use District

One Square Mile
 Sec. 33 T11N R6E



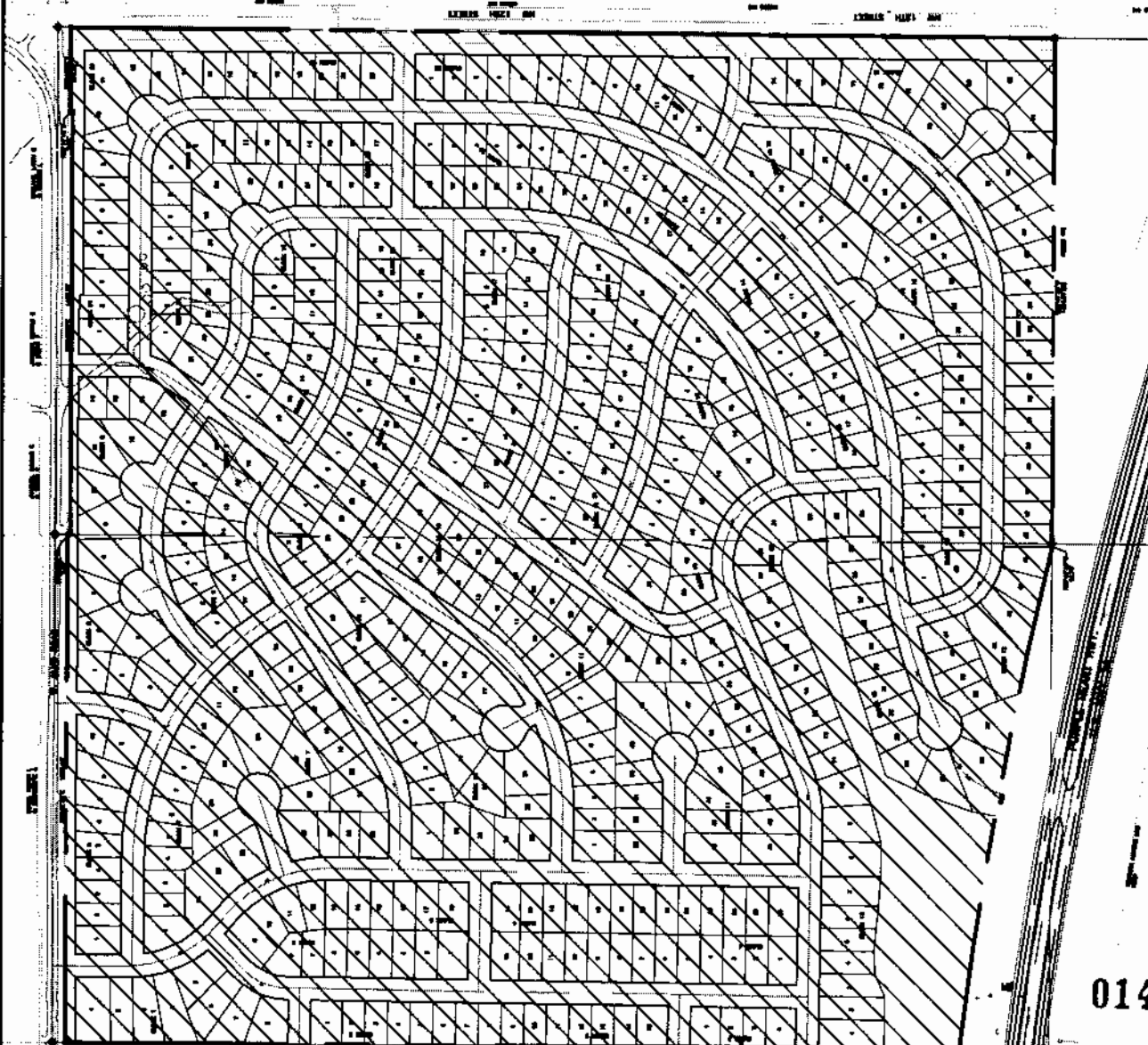
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**HIGHLAND VIEW
CHANGE OF ZONE EXHIBIT
LINCOLN, NEBRASKA**

Drawn By: LKR
Dwg.: change zone.dwg
Date: 06/23/2005
Job#: 03-101-25

**SHEET
1 OF 2**



NO SCALE

LEGEND



AG TO R-3

LOTS 36, 37 & 38 LOCATED IN THE NORTHEAST QUARTER OF SECTION 33,
TOWNSHIP 11 NORTH, RANGE 6 EAST OF THE 6TH P.M., LANCASTER COUNTY,
NEBRASKA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE EAST QUARTER CORNER OF SAID SECTION 33; THENCE ON
THE SOUTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION 33,
N89°47'33"W, 1,324.31 FEET TO A POINT ON THE NORTH RIGHT-OF-WAY LINE OF
U.S. HIGHWAY 34; THENCE ON SAID NORTH RIGHT-OF-WAY LINE FOR THE NEXT
2 COURSES, N89°46'48"W, 12.70 FEET; THENCE WESTERLY ON A 11,634.16 FOOT
RADIUS CURVE TO THE LEFT, AN ARC LENGTH OF 1,333.32 FEET (LONG CHORD
BEARS N79°24'42"W, 1,332.59 FEET) TO THE WEST LINE OF THE NORTHEAST
QUARTER OF SAID SECTION 33; THENCE ON SAID WEST LINE, N00°27'18"E,
2,370.36 FEET TO THE SOUTH RIGHT-OF-WAY LINE OF WEST ALVO ROAD;
THENCE ON SAID SOUTH RIGHT-OF-WAY LINE FOR THE NEXT 5 COURSES,
S89°49'35"E, 1,327.09 FEET; THENCE S00°30'41"W, 7.00 FEET; THENCE S89°49'50"E,
1,107.76 FEET; THENCE N00°10'10"E, 7.00 FEET; THENCE S89°49'50"E, 219.59 FEET TO
THE EAST LINE OF SAID SECTION 33; THENCE ON SAID EAST LINE, S00°34'37"W,
2,612.18 FEET TO THE POINT OF BEGINNING, CONTAINING 6,741,843.84 SQUARE
FEET (154.77 ACRES) MORE OR LESS.

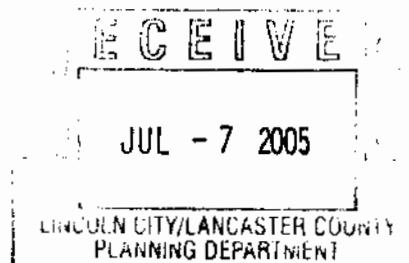


Engineering Design Consultants

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July 7, 2005

Thomas Cajka
Planning Department
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555 South 10th Street
Lincoln, NE 68508



RE: Highland View
Preliminary Plat Submittal
Change of Zone Request
Annexation Request
EDC Job #03-101

Dear Mr. Cajka,

On behalf of Engineering Design Consultant's client, Prairie Homes, the following applications are hereby submitted per the subdivision review process:

1. Application for a Preliminary Plat
2. Application for a Change of Zone from AG to R-3 (see attached exhibit).

Highland View is a 154 +/- acre residential development generally located on the southwest corner of West Alvo Road and NW 12th Street. There are 566 total single family lots ranging from 6,000 square feet to more than 10,000 square feet providing a steady supply of lots for North Lincoln. The Highland View Preliminary Plat includes the following:

1. The existing zone is AG and the proposed zone is R-3.
2. Right-of-way widths for all interior public streets shall be 60 feet and sidewalks shall be provided on both sides of the street.
3. Right-of-way width for Alvo Road shall be 120 feet, with an additional 10 feet of right-of-way for turn lanes off of Alvo Road into the Highland View subdivision. Sidewalks shall be provided on the south side of Alvo Road.
4. Direct vehicular access to Alvo Road is relinquished except where shown. The access shown at the intersection of Alvo Road and NW 12th Street is temporary as the current farmer would like to continue his cattle and farming operations for the next few years. The street connecting to the first access onto Alvo Road on the plat would be reached by a street that would require the removal of existing silo's on site. Therefore, to avoid the silo's, a temporary access to Alvo Road has been shown and will be relinquished once Phase 3 of the phasing plan is final platted. Lots 10 & 11, Block 21 shall be final platted as outlots until the temporary access to Alvo Road is relinquished.
5. Right-of-way widths for NW 12th Street shall be 120 feet with sidewalks being provided for on the west side of the street. NW 12th Street will not be improved until a final alignment for the street is reached and the City of Lincoln can confirm whether or not the street will connect across HWY 34 to the next subdivision. Lots will be allowed to be final platted along NW 12th Street without

improving NW 12th Street until the City of Lincoln has a final alignment and cross-section confirmed for NW 12th Street.

6. Direct vehicular access to NW 12th Street is relinquished except where shown.
7. Direct vehicular access to Highway 34 is relinquished except where shown. The access shown to Highway 34 is temporary and is requested to be a full movement access. The full movement temporary access is requested to allow residents of the development access to a full intersection to make left turning movements without having to drive 1 mile west to NW 27th Street to drive east on Highway 34. Lots 34 and 35, Block 9 will be final platted as an outlot until the access to Highway 34 is relinquished. The full movement temporary access to Highway 34 will be relinquished once a connection from Alvo Road to Fall Brook Drive through the Fall Brook Development to the signaled intersection is made.
8. Total Usage Table

a. Single Family Lots	552
b. Single Family/Two Family Lots	14
c. Outlots	4
d. Total Blocks	23
e. Total Lots	570
f. Total Units	566
9. Lots backing onto Outlot A shall have minimum opening elevations of 1' above the 100 Year Flood Plain Elevation.
10. A blanket utility easement is granted over Outlots A, B, C, and D.
11. Pedestrian easements 20' in width have been provided on Block ~~2~~¹¹, ~~40~~¹³, and ~~45~~¹⁸ to meet block length requirements. Due to the grade of the property at these locations, a street connections cannot be made that meets the City of Lincoln Street Design Standards as the grade is too steep. The developer has provided a 20' wide pedestrian easement to create a landscaped amenity for the neighborhood and make lots adjacent to the pedestrian easements desirable instead of non-desirable by continuing the pedestrian easement trend of a 5' wide easement eyesore that homeowners don't want to live next to.
12. The Lancaster County Poor Farm Cemetery is located on the adjacent property towards the northwest corner of the development. Conversations with Rob Bozell of the State Historical Society-Archeological Division on August 25, 2004, stating that unmarked graves are treated the same under the law as marked graves. Mr. Bozell has advised to provide a buffer between the housing and the cemetery and avoid the area as much as possible. A 50' easement has been provided on the rear of the lots adjacent to the cemetery to provide a buffer between the actual residences and to help reduce the amount of grading around the cemetery to as little as possible.
13. There are wetlands located in the southwest corner of the development which will be preserved and enhanced to provide an amenity to the residents backing onto the outlot and to provide detention for the site.
14. There is an isolated pond located in the north part of the preliminary plat. Based on a letter received from the Department of the Army the Corps of Engineers has determined that there is no waters of the United States located at the project site and no Section 404 Permit of the Clean

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Water Act is required from the Corps of Engineers. Therefore, we have shown this pond to be filled on our grading and drainage plan (please see attached copy of letter from the Department of the Army).

15. The development will be served by sanitary trunk sewer line being brought from NW 27th Street across the adjacent property to the southwest corner of the property. The development will be served by a water main in NW 12th Street from the intersection of Alvo Road and NW 12th south to HWY 34.
16. The following waiver are hereby requested to the City of Lincoln Design Standards:
 - a. A waiver is requested to Title 2, Section 3.6 to allow sanitary sewer to flow opposite street grade for sanitary sewer located in Dubois Street, NW 18th Street, and Banff Street.
 - b. A waiver is requested to Title 2, Section 3-6, to allow sanitary sewer to be constructed at a depth greater than 15 feet for Dubois Street. The waiver is requested so that an additional paralleling sewer line in Dubois Street will not have to be constructed to keep the sanitary sewer line out of the detention pond.

If you have any additional questions or concerns please contact me at 438-4014 or at jthiellen@edc-civil.com.

Sincerely,

ENGINEERING DESIGN CONSULTANTS, L.L.C.



Jason M. Thiellen
Land Planner

Enc: 6 Sets of Sheets 1 – 13
Change of Zone Exhibit
Annexation Exhibit
8 1/2 X 11 Site Plan
Letter from the Department of Army

c: Steve Champoux
Peter Katt